

SECTION 2 GENERAL PROVISIONS

2-1. **Objective.** It is the objective of these Rules to establish, in compliance with applicable general law, a system of administrative policies and procedures to govern appointment to and promotion, discipline, and continued employment within Public Safety Service according to the highest standards of public ethics. These Rules are intended to protect the Public Safety employees servant from adverse discriminatory action whether from political or any other improper motive and thus to secure for the City the services of honest, efficient and experienced Public Safety employees. At the same time it is intended that the City shall have authority to correct where possible, and to remove when necessary, employees without placing upon the City an impractical or unfair burden in discharging such public duties. The objective and intent is to establish such personnel policies and procedures as will insure to the City the maximum in honest and efficient public service by attracting to and retaining in the City's Public Safety Service the most meritorious employees available.

2-2. **Application of Rules.** These Rules shall apply to every employee in the Public Safety Service, which shall include all members of the City's Police and Fire Departments.

2-3. **Obligations.** All employees in the Public Safety Service shall perform their duties in an efficient and effective manner consistent with City and Department policies.

2-4. **Cooperation.** Every employee in the Public Safety Service shall cooperate with the City and the Personnel Advisory Board in order to fulfill the objectives and purpose of these Rules.

2-5. **Conditions of Employment.** No one shall be required as a condition of employment, appointment, transfer, promotion, or retention in service, to join any organization or association of employees.

2-6. **Basis for Appointment; Promotion; Transfer; Retention, Dismissal.** Appointment, promotion, demotion, transfer, retention in, or termination of, services within the Public Safety Service will be made on the basis of merit and efficiency, having due regard for length of service with the City where other considerations are equal.

2-7. **Administrative Rules to be Equitable.** The administration of the classification plan and the pay plan and all administrative rules and regulations with respect to the application of service ratings, and hours of work, vacation, attendance regulation and leaves of absence for any cause for employees in the Public Safety Service, and the order and manner in which layoffs shall be affected and similar matters of personnel administration shall be fair and equitable and shall have general application as to all employees within a given class insofar as such equal application is practical, having due regard to the primary objectives of these Rules.

2-8. **Discrimination Forbidden.** No employee in the Public Safety Service or candidate for employment in the Public Safety Service shall be appointed, promoted, demoted, removed, or in any way favored or discriminated against because of age, disability, sex, race or political or

religious opinion or affiliations and no attempt shall be made to ascertain the religious or political opinions or affiliations of any employee or candidate for employment in the Public Safety Service.

2-9. Political Activity Forbidden. Public Safety employees shall be subject to certain restrictions of political activity as provided in Section 2.62.060 of the Murray City Municipal Code.

2-10. Grievances. Disputes arising out of the interpretation of application of these Rules governing standards, classification, hours of work, employment conditions, and the like shall, before taking an appeal as allowed in Section 12, 13 hereof, be handled by the employee through established supervisory channels prescribed by these Rules.

2-11. Records – Personnel Files. The Human Resources Department shall maintain a personnel file or record for each employee in the Public Safety Service showing the employee's name, title or position held, the Department to which assigned, salary, changes in employment status, and such other information as the City may require.

2-12. Record Retention. Employee examination records and register cards shall be kept for two years, or as long as the employee is with the City whichever is longer. All other records relating to personnel, including correspondence, applications, and reports, may be destroyed after two years except as otherwise required by the State law. In addition, any records, permanent or temporary, may be destroyed by the Human Resources Director with the advice and consent of the Mayor, when special circumstances warrant as allowed by law.

2-13. Personnel Files. Personnel files shall be handled as provided in Section 2.62.220 of the Murray City Municipal Code.

2-14. Notification of Address. All employees and eligible candidates, including those on leave of absence, are required to keep the Human Resources Department informed in writing as to their current home address at all times.

2-15. Violation of Rules. Dismissal Disqualifications. Violation of any of these or other administrative rules or orders shall be grounds for disciplinary action including dismissal, and any employee dismissed for cause may for five (5) years be ineligible for appointment to, or employment in a position in the Public Safety Service.

2-16. Service. Whenever in these Rules, service of any document is required, said service will be made as provided for service of summons by the Utah Rules of Civil Procedure, except when the return of service shows the person to be served cannot by due diligence be found, service shall be made by mailing a copy of the document to be served by certified mail, addressed to the party at the party's last known address as disclosed by the City's records. Where any party is represented by an attorney, service of any paper, pleading or notice provided for in these Rules may be made upon such party by serving the party's attorney.

2-17. **Time.** Time shall commence to run for reviews or appeals from the date the order appealed from is served on the employee and in the event service is made by mail, at the expiration of five (5) days from the date of deposit in the post office. Time within which to act as provided in these Rules shall be computed by excluding the first day and including the last, unless the last day is a holiday or Sunday, in which case such days are also excluded.

2-18. **Separability of Rules.** If any rule is for any reason held to be invalid, such decision shall not affect the remaining Rules.

2-19. **Health.** Each employee in Public Safety Service as determined by the employee's Department Head and Human Resources Director annually or biannually during the period of his/her employment and during the calendar month in which occurs the anniversary of his/her employment, and at such other time as the Department Head may reasonably require, shall submit to a health examination by the physician or a health professional approved by the Human Resources Director. The physician and/or health professional shall certify the results of such an examination and shall file a copy of the certification with the Human Resources Director.

2-20. **Appeal of Medical Determination.** If any employee in the Public Safety Service is dissatisfied with any determination or certificate made by the City-approved physician, as provided in these Rules, that employee may, within fifteen (15) days after notice of such determination or certification, appeal to the Personnel Advisory Board in writing, as outlined in Schedule C.

2-21. **Injury on Job.** Each employee in the Public Safety Service who shall become injured in line of duty or course of employment shall retain Public Safety Service status for two (2) years after such injury unless a City-approved physician certifies that the employee is able to return to work before that time and refuses to do so, in which case the employee shall forfeit Public Safety Service status.

2-22. **Leaves of Absence.** Leaves of absence without pay may be granted by the employee's Department Head as provided in Section 2.62.170 of the Murray City Municipal Code.